

REMARKS/ARGUMENTS

This Amendment is responsive to the Office action dated June 16, 2006, setting forth a shortened three month statutory period for reply expiring on September 16, 2006. Since September 16, 2006 falls on a Saturday, pursuant to 37 CFR 1.7, a response filed on Monday September 18 would fall within the three-month response period.

Claims 1-3 and 5-19 were pending in the application, with claims 1, 6 and 10 being independent claims. In brief review, the Examiner allowed claims 1-3 and 5-9. The Examiner also indicated that claims 11-4 would be allowable if re-written in independent form.

The Examiner also rejected claim 10 under 35 USC 112 as being indefinite; claims 10, 12, 13, 15, 17 and 19 as being anticipated under 35 USC 102 by U.S. Patent 5,144,223 to Gillingham (hereinafter, "Gillingham"); claims 10, 12, 15 and 17-19 as being anticipated under 35 USC 102(b) by U.S. Patent 6,204,724 to Kobatake (hereinafter, "Kobatake"); and claims 10, 12, 13, 15, 16 and 19 as being anticipated under 35 USC 102(e) by U.S. Publication 2004/0027194 to Morishita et al. (hereinafter, "Morishita").

By this Amendment, claims 10, 11, 13 and 14 have been amended and claim 12 has been canceled without prejudice.

Accordingly, claims 1-3, 5-11, 13-19 are pending with claims 1, 6, 10, 11, 13, and 14 being independent claims. Reconsideration of the application and claims is respectfully requested.

ALLOWABLE SUBJECT MATTER

The Examiner indicated that claims 1-3 and 5-9 are allowable, including independent claims 1 and 6. The Examiner also indicated that claims 11-14 would be allowable if re-written in independent form. Applicant appreciates the indication of allowable subject matter.

As to claims 11-14, the subject matter of claim 12 has been inserted into independent 10, and claim 12 has been canceled without prejudice. As to claim 11, claim 11 has been re-written in independent form including the limitations of independent claim 10. As to claim 11, claim 11 has been re-written in independent form including the limitations of independent claim

Appl. No. 10/796,859
Amendment dated September 18, 2006
Reply to Office Action of June 16, 2006

10. As to claim 13, claim 13 has been re-written in independent form including the limitations of independent claim 10. As to claim 14, claim 14 has been re-written in independent form including the limitations of independent claim 10.

RESPONSE TO INDEFINITENESS REJECTION

The Examiner rejected claim 10 under 35 U.S.C. Section 112, second paragraph, as being indefinite for failing to distinctly claim the subject matter applicant regards as the invention. The Examiner states "it is not clear where the 'pull-down' transistor is situated with respect to the rest of the circuit." (Office Action, p. 2). Claim 10 has been amended to recite that the pull down transistor is "coupled with the floating current mirror." It is believed that claim 10 recites definite subject matter in compliance with Section 112.

RESPONSE TO CLAIM REJECTIONS UNDER 35 U.S.C. SECTION 102(b)

The Examiner rejected claims 10, 12, 13, 17 and 19 under 35 USC 102(b) as being anticipated by the Gillingham patent. The Examiner also rejected claims 10, 12, 15 and 17-19 under 35 USC 102(b) as being anticipated by the Kobatake patent. The Examiner also rejected claims 10, 12, 13, 15, 16 and 19 as being anticipated under 35 USC 102(e) by Morishita.

Because claim 10 has been amended to include the limitations of claim 12 and the Examiner has indicated that claim 12 is allowable, these rejections are now moot. Applicant reserves the right to traverse these rejections in a continuation application.

CONCLUSION

In view of the above, claims 1-3, 5-11 and 13-19 remain in the application and are believed to be allowable.

Appl. No. 10/796,859
Amendment dated September 18, 2006
Reply to Office Action of June 16, 2006

No fees are believed to be due with this Amendment and Response beyond the \$600 fee for the additional three independent claims. If the Examiner has any questions, please contact the undersigned.

Respectfully submitted,

BROWNSTEIN HYATT & FARBER, P.C.

Date: September 18, 2006

/James A. Pinto/
Attorney Reg. No. 40,774
PH: 303-223-1195
Customer No. 60879